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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,416	06/17/2005	Armin Reicharz	2590-129	2366
23117	7590	03/22/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			NASRI, JAVAID H	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/539,416

Applicant(s)

REICHARZ ET AL.

Examiner

Javaid Nasri

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-15 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/17/05</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

- a) On page 2, the following heading missing:

Detail description of the invention

Appropriate correction is required.

Abstract

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In this case the form and legal phraseology used "said".

Drawings

3. The drawings are objected to because

- a) The lettering is not standard.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should

Art Unit: 2839

include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1-15 are objected to because of the following informalities:
 - a) In claim 1, line 4, "the free ends" lacks antecedent base.
 - b) In claim 4, line 4, change "said means (3)" to -- said means (18, 21) --.
 - c) In claim 8, line 2, "the space" lacks antecedent base.
 - d) The limitations of claim 15 are already in claim 1.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a) Regarding claim 10, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5, 8-12 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Morelli (4,480,887, cited in IDS).

Morelli discloses, **for claim 1**, see figure 1, first and second hollow cylindrical bodies fixed to one another and making an angle, one end of the first body closed by a stopper (40), being housed in one end of the second body so as to define a continuous passage between the free ends of the two bodies, the first body comprising a removable contact block (not numbered, see figure 1); the electric plug being characterized in that it further comprises a coaxial cylindrical cage (25, 20, 50, 48) arranged in the first body (first and second body are relative terms) in such a way as to hold the removable contact block in position, the cage further comprising a hollowing formed

Art Unit: 2839

on its longitudinal wall of a length shorter than the length of the cylindrical cage (any part can read on hollowing, see figure 1) and arranged at the same side as the free end of the second cylindrical body (see figure 1), **for claim 2**, the width of the hollowing extends over about 180 degrees around the main axis of the cage, **for claim 3**, the length of the hollowing is slightly shorter than the length of the cage, **for claim 4**, elastic means (44) arranged towards the end of the cage which is situated at the same end as the stopper (40) or between said end and the stopper, said means being produced in such a way as to ensure elastic contact between the cage and the stopper (see figure 1), **for claim 5**, the cage comprises an end that is rendered elastic (the degree of elasticity is not defined in the claim, everybody is elastic to some extent) along the main axis of the cage, **for claim 8**, the cage is of a length slightly longer than the space available, thereby causing the cage to be compressed when the connector is closed by the stopper, **for claim 9**, the elastic means are arranged between said end and the stopper (40), **for claim 10**, the elastic means (44) consist of a component made of elastomer, **for claim 11**, the elastic means consist of a spring (element 44 acts like a spring, it is compressible, see note below), **for claim 12**, the hollowing is sufficiently large enough to give the cage elasticity, **for claim 15**, the cage (25, 20, 50, 48) being designed to be arranged in the first body of an elbow- shaped plug in such a way as to hold the removable contact block of the elbow- shaped plug in position; the cage further comprising a hollowing (any part can read on hollowing, see figure 1) formed on its longitudinal wall of a length shorter than the length of the cylindrical cage and designed to be arranged on the same side as the free end of the second cylindrical body of the elbow-shaped plug.

Note: USPTO interprets claims, giving claims their “broadest reasonable interpretation.”

Art Unit: 2839

(See, e.g., *In re Morris*, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997)).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morelli. Morelli discloses all the limitations of claim 1, as shown above,

However, Morelli does not disclose:

- a) For claims 13 and 14, O-rings disposed as claimed. Official notice is taken that use of o-rings is well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Morelli to use O-rings for sealing the connector.

Allowable Subject Matter

11. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REASONS FOR ALLOWANCE

12. The following is an examiner's statement of reasons for allowance:

Art Unit: 2839

The reason for allowance of the claims is the inclusion of the limitation,

- a) For claim 6, none of the prior art teaches or suggest, alone or in combination the elastic end being hollow and of conical shape, and having radial slots extending from the vortex of the cone, in combination with other limitations in the claim which is not found in the prior art reference of record.
- b) For claim 7, none of the prior art teaches or suggest, alone or in combination the elastic end is solid and has a slot made in a plane perpendicular to the main axis of the cage, a disk having a protrusion directed towards the outside of the cage towards the stopper, in combination with other limitations in the claim which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Contact

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2839

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Javaid Nasri
Primary Examiner
Art Unit 2839

JN

Jhn
March 15, 2006